

Appl. No. 10/623,882
Atty. Docket No. AA600
Amdt. dated September 28, 2005
Reply to Office Action of June 28, 2005
Customer No. 27752

REMARKS

Claim Status

Claims 1 - 10 are pending in the present application. No additional claims fee is believed to be due.

Per this response, claim 9 is canceled without prejudice

Claim 1 has been amended to include the limitations of canceled claim 9. Claims 2-8 and 10 have been amended to depend on claim 1. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 5,759,317 (Justmann) in view of

French Patent Publication 2,810,537 (Brutin)

Claims 1-3 have been rejected under 35 USC §103(a) as being unpatentable over Widlund in view of French Patent Publication 2,810,537 (Brutin). It is believed that the reference to Widlund was in error since the remainder of the rejection is consistent with the teachings of Justmann.

In order to establish a *prima facie* case of obviousness, three requirements must be met. MPEP §2143. First, there must be some suggestion or motivation, either in the cited references or in the knowledge generally available to one ordinarily skilled in the art, to modify the reference. *Id.* Second, there must be some reasonable expectation of success. *Id.* Third, the cited references must teach or suggest all of the claim limitations. *Id.* The Office Action has failed to establish a *prima facie* case of obviousness because there is no motivation to modify the cited references and the cited references fail to teach or suggest all of the claim limitations of the claimed invention.

Applicant has amended claim 1 per this response to include a second fastening material, different from the first fastening materials, on the second substrate which is exposed at the gap region between the two first fastening materials. Neither Justmann nor Brutin teach or suggest a second fastening material exposed in the gap between the first fastening materials wherein the second fastening material is different from the first

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fastening materials. Consequently, claims 1-3 are nonobvious and therefore, patentable over Justmann in view of Brutin.

Claim Objections

The Office Action objected to claims 4-10 under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot refer to another multiple dependent claim. Per this response, Applicant has amended claims 3-8, and 10 to depend on claim 1. Claim 9 has been canceled.

Specification

The Office Action objected to the Abstract of the disclosure since the length exceeds 150 words. A revised abstract is included with this response on a separate sheet.

Conclusion

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied reference. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-8 and 10 is respectfully requested.

Respectfully submitted,

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By



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